

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. CV 11-3152 JVS (JCGx) Date March 15, 2012

Title Yang v. BMW of North America, LLC.

Present: The Honorable James V. Selna

Karla J. Tunis  
Deputy Clerk

Not Present  
Court Reporter

Attorneys Present for Plaintiffs:

Not Present

Attorneys Present for Defendants:

Not Present

**Proceedings:** (In Chambers) Order to Show Cause re Jurisdiction

The Court has made a preliminary review of the jurisdictional allegations  
in the:

X Complaint, filed April 13, 2011

Notice of Removal ("Notice") filed

by Tsan Yang ("Yang").

The initial pleading invokes jurisdiction Court on the basis of diversity of citizenship, 28 U.S.C. § 1332. (Complaint, ¶ 4.) Jurisdiction on this basis requires complete diversity.

The following party to the action is alleged to be a limited liability companies ("LLC"):

BMW of North America, LLC

For purposes of diversity jurisdiction, an LLC takes on the citizenship of each of its members. Johnson v. Columbia Properties Anchorage, LP, 437 F.3d 894, 899 (9<sup>th</sup> Cir. 2006); Cosgrove v. Bartolotta, 150 F.3d 729, 731 (7<sup>th</sup> Cir. 1998); Keith v. Black Diamond Advisors, Inc., 48 F. Supp. 2d 326, 329-30 (S.D. N.Y. 1999). In order to determine diversity, the Court must consider the citizenship of each LLC member, and if a member is an LLC, the citizenship of its members. Presently, the Court cannot

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

**CIVIL MINUTES - GENERAL**

Case No. CV 11-3152 JVS (JCGx) Date March 15, 2012  
Title Yang v. BMW of North America, LLC.

tell if jurisdiction has been properly invoked.

Yang is ordered to file an amended initial pleading within 15 days identifying each member of each alleged LLC and the member's citizenship and principal place of business as of the date of the filing of the initial pleading. If any member is itself an LLC, the same information shall be provided for each subtier member, and if need be, for each successive subtier.

**A failure to respond may result in dismissal of the action for lack of jurisdiction.**

\_\_\_\_\_ 0 : \_\_\_\_\_ 00  
Initials of Preparer kjt